

# **EXHIBIT 16**



## PATROL GUIDE

Section: Prisoners

Procedure No: 210-17

### ARREST PROCESSING OF PRE-ARRAIGNMENT PRISONERS DESIGNATED AS "SPECIAL CATEGORY"

DATE ISSUED:

08/01/13

DATE EFFECTIVE:

08/01/13

REVISION NUMBER:

PAGE:

1 of 2

#### PURPOSE

To ensure that all pre-arraignment prisoners in custody at precinct, transit district, police service area, and borough court section holding pens are medically screened by Emergency Medical Service (EMS) personnel located at the borough court sections.

#### SCOPE

Presently, EMS personnel are assigned to all patrol borough court sections with the exception of the Staten Island Court Section. On Staten Island it is the supervisor at the court section and not EMS personnel that screens prisoners. This supervisor makes the determination as to whether or not a prisoner will be designated as special category. For the purposes of this procedure this practice will remain in effect only in the Staten Island Court Section.

#### DEFINITION

**SPECIAL CATEGORY PRISONER** - A "Special Category Prisoner" is a prisoner who should be removed from the general population for any of the following reasons:

- a. because of a medical condition or physical disability
- b. for any reason that would lead one to believe that placing that prisoner in a general population of prisoners may pose a safety risk to that prisoner or other prisoners
- c. for any reason that would lead one to believe that placing that prisoner in a general population of prisoners may pose a health risk to that prisoner or other prisoners.

The following will not be designated as "Special Category" prisoners:

- a. Hospitalized prisoners (Refer to *P.G. 210-02, "Hospitalized Prisoners"*)
- b. Prisoners who will be issued Desk Appearance Tickets or summonses and released directly from the precinct, transit district, or police service area.

#### PROCEDURE

Upon transporting a pre-arraignment prisoner to the appropriate borough court section:

#### UNIFORMED MEMBER OF THE SERVICE CONCERNED

1. Ensure that prisoner is medically screened by EMS personnel as soon as possible.

#### BOROUGH COURT SECTION SUPERVISOR

2. Determine, in conjunction with EMS personnel, whether prisoner should be designated a "Special Category Prisoner."

#### GUIDELINES FOR HANDLING "SPECIAL CATEGORY PRISONERS":

#### BOROUGH COURT SECTION SUPERVISOR

3. Ensure that notation is made in the "Detention Alert" caption of Prisoner Movement Slip along with the reason for the designation, e.g. medical, safety risk, disability, etc.

# PATROL GUIDE

PROCEDURE NUMBER:	DATE EFFECTIVE:	REVISION NUMBER:	PAGE:
210-17	08/01/13		2 of 2

**BOROUGH  
COURT  
SECTION  
SUPERVISOR  
(continued)**

4. Direct that a "Special Category Prisoner" be lodged in a separate cell from the general pre-arraignment population.
5. Ascertain, in consultation with EMS personnel, whether or not it is advisable to house more than one "Special Category Prisoner" in a cell.
6. Have **MEDICAL TREATMENT OF PRISONER (PD244-150)** form prepared for each "Special Category Prisoner."
7. Ensure that "Yes" box in caption "Recommend Prisoner Be Separated From General Population" on **MEDICAL TREATMENT OF PRISONER** form is checked.
8. Ensure that all "Special Category Prisoners," originally screened by EMS personnel at the borough court section, are subsequently screened upon returning from any hospital, as applicable.
9. Oversee and expedite the processing of all "Special Category Prisoners" and their co-defendants, if any.
10. Ensure that prisoners lodged in separate cells at precinct, district, or police service area commands are transported to the appropriate arraignment part at court, when necessary.

**ADDITIONAL  
DATA**

**LODGING "SPECIAL CATEGORY" PRISONERS**

*The decision of whether or not to house more than one such prisoner in a cell will be based on whether, given the particular reasons for designating them as "Special Category," the prisoners pose a safety or health risk to one another.*

*It is preferable to lodge "Special Category Prisoners" in separate cells at the borough court section. However, if this is not possible, the borough court section supervisor will direct that the prisoner be temporarily lodged in a separate cell in a precinct, district, or police service area command.*

*Supervisors will make every reasonable effort to provide separate and physically adequate accommodations for special category prisoners that are being processed or lodged in their facilities. Reasonable efforts will be made to avoid handcuffing prisoners to chairs, railings, etc. for extended periods of time.*

**OPERATIONAL CONSIDERATIONS**

*A prisoner may be designated "Special Category" at a subsequent screening by EMS personnel, as appropriate.*

*"Special Category Prisoners" will be given priority status at every stage of the pre-arraignment process including placing their names on the "Medical Expedite" list maintained at the borough court sections.*

*All prisoners who are identified as being infected with, or suspected of carrying an actively contagious disease, such as tuberculosis, will be sent to the hospital immediately.*

**RELATED  
PROCEDURES**

*Hospitalized Prisoners (P.G. 210-02)  
Prisoners Requiring Medical/Psychiatric Treatment (P.G. 210-04)*

**FORMS AND  
REPORTS**

***MEDICAL TREATMENT OF PRISONER (PD244-150)***